

COUNCIL MEETING
WEDNESDAY, MAY 9, 2018
COUNCIL CHAMBERS
www.lackawannany.gov

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Keith Lewis presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Keith Lewis.

Meeting called to order

NB: Meeting being recorded-use of cell phones during meetings is prohibited, including recording & taking pictures or videos

Roll Call: Council: Present: Noman, Iafallo, Leonard, Surdyke, Lewis

Dept. Heads: Present: Law, Development, Comptroller, Public Safety
Absent: Public Works, Recreation

Approval of Minutes: of regular meeting of April 16, 2018 and special meeting of April 30, 2018.

Moved by Lewis, seconded by Noman to adopt minutes of regular meeting of April 16, 2018 and special meeting of April 30, 2018 as written

Yeas: Noman, Iafallo, Leonard, Surdyke. Lewis

Carried 5-0

Departmental Reports:

1. **City Comptroller-** A/P Check Listing #41, dated April 12, 2018
2. **City Comptroller-** A/P Check Listing #42, dated April 19, 2018
3. **City Comptroller-** A/P Check Listing #43, dated April 26, 2018
4. **City Clerk-** Monthly revenue Report for April 2018
5. **City Treasurer-** Total receipts deposited into the General Fund Account for April 2018

Moved by Lewis seconded by Iafallo to receive and file departmental reports one thru five

Yeas: Noman, Iafallo, Leonard, Surdyke , Lewis

Carried 5-0

Communications from the Council:

Senior Center-Parking Signs

6. To: City Council

I am requesting the "No Parking" signs in the front of the Senior Center be removed and replaced with "Handicapped Parking Only" signs.

Currently, the handicapped parking is in the back of the building, which makes it difficult for those that have limited mobility.

Thank you in advance for your anticipated cooperation.

WILLIAM R LEONARD-3RD WARD COUNCIL MEMBER

Moved by Lewis seconded by Leonard **TABLE** refer to Traffic Safety Advisory Board and Public Safety

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Greenwood Avenue-Parking Sign

7. To: City Council

I am requesting your approval to have a “No Parking from Here to Corner” sign erected 25 feet from the northeast corner of Greenwood Avenue & Abbott Road.

Thank you in advance for your anticipated cooperation.

WILLIAM R LEONARD-3RD WARD COUNCIL MEMBER

Moved by Lewis seconded by Leonard approve request, direct City Attorney to prepare an Ordinance

Yeas: Noman, lafallo, Leonard, Surdyke, Lewis

Carried 5-0

Communications from Department/Division Heads:

1st Ward Ridge Road Traffic Study

8. To: City Council

Due to new recent project developments, both commercial and residential, on both the north and south sides of Ridge Road the City’s Planning and Development Board has requested that I ask City Council to refer to the Lackawanna Traffic and Safety Board about performing a traffic study in the first ward along Ridge Road. There is a concern that the speed of traffic substantially increases once traffic gets past the intersection of Ridge Road and Fairview Avenue heading west on Ridge Road toward the lake. There is a noticeable volume of pedestrian traffic in this area during both weekends and weekdays and a few members of the Planning and Development Board feel that there needs to be a traffic study done to determine if a traffic light/signal should be reinstalled at either Ridge Road and Steelawanna Avenue or Ridge Road and Wasson Avenue.

DREW SHAPIRO-DIRECTOR of DEVELOPMENT

Moved by Lewis seconded by Noman refer to Traffic Safety Advisory Board and Law Department

Yeas: Noman, lafallo, Leonard, Surdyke, Lewis

Carried 5-0

Insurance Recovery Funds- Recreation Sign

9. To: City Council

I am requesting to increase budget lines A.7110.443 Maintenance of Recreation Areas-Repairs and Replacements and increase A..2680 Insurance recoveries by \$1,033.13 to properly record the insurance recovery for the Recreation sign that was recently destroyed and replaced.

If you have any question, feel free to contact me.

CAROLYN NICOMETO-CITY COMPTROLLER

Moved by Lewis seconded by lafallo receive and file, act on ordinance

Yeas: Noman, lafallo, Leonard, Surdyke, Lewis

Carried 5-0

Budget Transfer-Part Time Clerks

10. To: City Council

I am requesting to increase budget lines A.1210.101 Mayor-Personal Services by \$11,800.00 from Fund Balance to cover the cost of Part Time Clerks while an employee is out for medical reasons.

If you have any questions, feel free to contact me.

CAROLYN NICOMETO-CITY COMPTROLLER

Moved by Lewis seconded by Surdyke receive and file, act on ordinance

Yeas: Noman, lafallo, Leonard, Surdyke, Lewis

Carried 5-0

Police Department-Court Security

11. To: City Council

I am requesting to increase budget lines A..3330 State Court System and increase A.3120.428 Police Department-Contractual Court Security by \$29,000.00. This will allow for the proper accounting for Court Security Expenditures.

If you have any questions, feel free to contact me.

CAROLYN NICOMETO-CITY COMPTROLLER

Moved by Lewis seconded by Surdyke receive and file, act on ordinance

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Police Department-Fines/Bail-Court Time

12. To: City Council

I am requesting to increase budget lines A..2610 Fines and Forfeited Bail and increase A.3120.103 Police Department-Court Time by \$70,000.00. Revenues have exceeded budgeted amounts along with Court Time.

If you have any questions, feel free to contact me.

CAROLYN NICOMETO-CITY COMPTROLLER

Moved by Lewis seconded by Iafallo receive and file, act on ordinance

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Budget Transfer-Demolition-100 Dona Street

13. To: City Council

I am requesting to increase appropriations and to transfer \$500,000.00 to the Capital Fund for expenditures of the Demolition of 100 Dona Street (Lincoln School). Additional funds will be requested as needed.

If you have any questions, feel free to contact me.

CAROLYN NICOMETO-CITY COMPTROLLER

Moved by Lewis seconded by Noman receive and file, act on ordinance

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Budget Transfer-Printing Reports

14. To: City Council

I am requesting to increase budget lines A.1325.442 Treasurer-Printing Tax Roll and decrease A.1315.441 Comptroller-Printing Reports and Forms by \$103.00. The City was able to purchase a large volume of envelopes at a discount which will be used over multiple years.

If you have any questions, feel free to contact me.

CAROLYN NICOMETO-CITY COMPTROLLER

Moved by Lewis seconded by Iafallo receive and file, act on ordinance

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Communications from Citizens:

Garter Party-School

15. To: City Council

On June 1, 2018 I will be hosting the garter party for the Lackawanna Junior and Senior prom in my yard at 36 Bethlehem St. in the city of Lackawanna.

I am requesting permission to block off Bethlehem Street, between Steelawanna and Wilkesbarre Ave. Any further details needed, please contact me. Thank you in advance for your support.

WADE TURNER

Moved by Lewis seconded by Noman approve request, refer to Public Safety Director to assist

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

“Taste of Lackawanna”

16. To: City Council

The Lackawanna Youth Empowerment Program Inc. will be hosting its 11th Annual “Taste of Lackawanna”. This event will be held Saturday, June 2, 2018. Set up begins at 9a.m., but the actual event is held from 12 p.m. until 8 p.m.

We are requesting to block off O’dell Street, between Ingham Ave and Wilmuth Street between the hours listed above.

Any further details needed, please contact our President. We thank you in advance for your support.

WADE TURNER-LACKAWANNA YOUTH EMPOWERMENT PROGRAM PRESIDENT

Moved by Lewis seconded by Noman approve request, refer to Public Safety Director to assist

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Community Game Night

17. To: City Council

I would like to host a Community Game Night in celebration of the life and 40th Birthday of Meanna M. Bobbitt. The event will potentially be held with your approval on May 26, 2018. I request that Steelawanna Ave. be blocked off in between Mill and Washington streets. We are requesting approval to block off the street from 4:00 pm until 2:00 am. Thank you in advance, if you have any questions please feel free to call me.

AISHA J THORNTON, M.S., J.D.

Moved by Lewis seconded by Noman to **TABLE** until the City Attorney & City Clerk meet & obtain more information to establish parameters

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Entertainment Licenses:

Class 1- Live Music and/or Mechanical Reproduction

Winfield’s Pub-1213 Ridge Road

The Mess Hall- 717 Ridge Road

Curly’s Grill-647 Ridge Road

Lake Erie Co-op Society- 3200 South Park Avenue

Nite Cappe- 1769 Abbott Road

J’s White Elephant- 1404 Abbott Road

Moved by Lewis seconded by Surdyke to approve Class 1 Entertainment licenses

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Class 2- Coin Operated Mechanical Reproduction

Steel City Pub- 1449 Abbott Road

McMudz- 1441 Electric Avenue

Moved by Lewis seconded by Iafallo to approve Class 2 Entertainment licenses

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Business Registrations:

Family Dollar Store of NY, Inc.-121 Ridge Road

Moved by Lewis seconded by Noman approve business registration

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Waive Rules:

Mayor Szymanski requests Council waive the rules to allow a vote on 2 (two) resolutions supporting a local law in the New York State Legislature designating South Park Avenue and Ridge Road as State Highways.

Moved by Lewis seconded by Iafallo to waive the rules, act on resolutions

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

State Sponsored Bills: A10138 S02779 South Park Avenue

I am asking that the City Council waive the rules for tonight's meeting in order to suspend in two home rule messages as per Senator Timothy Kennedy's request. This home rule message is requiring that the State of New York absorb responsibility of US 62/South Park Avenue.

If the council so chooses to act on this, it must be reminded that the 2018 Albany session is about to come to end. Lawmakers will be voting on final legislation and once it is over, they will only meet, sporadically, a few more times before the end of the year.

Attached to this are the home rule requests. Assemblyman Sean Ryan has sponsored the South Park bill in the Assembly.

MAYOR GEOFFREY M SZYMANSKI

State Sponsored Bills: S01832/A10568 Ridge Road

I am asking that the City Council waive the rules for tonight's meeting in order to suspend in two home rule messages as per Senator Timothy Kennedy's request. This home rule message is requesting that the State of New York absorb responsibility of Ridge Road.

If the council so chooses to act on this, it must be reminded that the 2018 Albany session is about to come to end. Lawmakers will be voting on final legislation and once it is over, they will only meet, sporadically, a few more times before the end of the year.

Attached to this are the home rule requests. Assemblyman Sean Ryan has sponsored the Ridge Road bill in the Assembly.

MAYOR GEOFFREY M SZYMANSKI

Moved by Lewis seconded by Iafallo to waive the rules, act on Resolutions

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Resolution #8, 2018-South Park Avenue Designation

WHEREAS, State Senator Timothy Kennedy and Assemblyman Sean Ryan have introduced legislation to designate South Park Avenue as a state highway, attached hereto, and

WHEREAS, the legislation introduced is hereby designated as New York State Senate bill S2779 and New York State Assembly bill A10138, and

WHEREAS, the City Council deems it in the best interest of the City to support said legislation, and

WHEREAS, the City of Lackawanna does not have the power to enact such legislation by local law

NOW, THEREFORE, BE IT

RESOLVED, that the City Council hereby approves of and requests the enactment of the aforesaid legislation, and be it further

RESOLVED, that the Mayor is hereby authorized to request that the aforesaid legislation be enacted and forward said request to the State Legislature

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Iafallo to adopt resolution as written

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Resolution #9, 2018- Ridge Road-Designation

WHEREAS, State Senator Timothy Kennedy and Assemblyman Sean Ryan have introduced legislation to designate Ridge Road as a state highway, attached hereto, and

WHEREAS, the legislation introduced is hereby designated as New York State Senate bill S01832 and New York State Assembly bill A10568, and

WHEREAS, the City Council deems it in the best interest of the City to support said legislation, and

WHEREAS, the City of Lackawanna does not have the power to enact such legislation by local law

NOW, THEREFORE, BE IT

RESOLVED, that the City Council hereby approves of and requests the enactment of the aforesaid legislation, and be it further

RESOLVED, that the Mayor is hereby authorized to request that the aforesaid legislation be enacted and forward said request to the State Legislature

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Surdyke to adopt resolution as written

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Ordinances:

(1) Repairs/Replacements- Recreation Areas

AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations and revenue for Insurance Recovery for Recreation Sign

SECTION 2. That the 2017-2018 Budget Ordinance is hereby amended to increase by \$1,033.13 budget Code A.7110.443 Maintenance of recreation Areas-Repairs and Replacements

SECTION 3. That the 2017-2018 Budget Ordinance is hereby amended to increase budget code A..2680 Insurance Recoveries by \$1,033.13

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Iafallo adopt ordinance as written

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

(2) Mayor's Office-Part Time Clerks

AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations for Mayor-Personal Services-Equipment and decrease fund balance

SECTION 2. That the 2017-2018 Budget Ordinance is hereby amended to increase by \$11,800.00 budget code A.1210.101 Mayor-Personal Services

SECTION 3. That the 2017-2018 Budget Ordinance is hereby amended to decrease by \$11,800.00 of the City's Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Surdyke adopt ordinance as written

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

(3) Court Security

AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations and revenue for State Court System

SECTION 2. That the 2017-2018 Budget Ordinance is hereby amended to increase by \$29,000.00 budget code A.0000.3330 State Court System

SECTION 3. That the 2017-2018 Budget Ordinance is hereby amended to increase budget code A.3120.428 Contractual Court Security by \$29,000.00

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Surdyke adopt ordinance as written
Yeas: Noman, lafallo, Leonard, Surdyke, Lewis

Carried 5-0

(4) Court Time/Fines/Bail

AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations for Court Time and revenues for Fines & Forfeited Bail

SECTION 2. That the 2017-2018 Budget Ordinance is hereby amended to increase by \$70,000.00 budget code A.0000.2610 Fines & Forfeited Bail

SECTION 3. That the 2017-2018 Budget Ordinance is hereby amended to increase budget code A.3120.0103 Court Time \$70,000.00

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by lafallo adopt ordinance as written
Yeas: Noman, lafallo, Leonard, Surdyke, Lewis

Carried 5-0

(5) Lincoln School Demolition

AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations for Capital Project, Lincoln School Demolition

SECTION 2. That the 2017-2018 Budget Ordinance is hereby amended to add \$500,000.00 to budget Code A.9000.9551 Transfer to Other Fund-Capital

SECTION 3. That the 2017-2018 Budget Ordinance is hereby amended to appropriate \$500,000.00 of the City's Fund Balance

SECTION 4. That the 2017-2018 Budget Ordinance is hereby amended to add \$500,000.00 to budget code H.2080.215 Demolition of City Owned Property

SECTION 5. That the 2017-2018 Budget Ordinance is hereby amended to increase budget code H.0000.5031 Capital Fund Interfund Transfers by \$500,000.00

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Noman adopt ordinance as written
Yeas: Noman, lafallo, Leonard, Surdyke, Lewis

Carried 5-0

(6) Printing Tax Rolls

AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations for Treasurer-Printing Tax Roll and decrease Comptroller-Printing Forms and Reports

SECTION 2. That the 2017-2018 Budget Ordinance is hereby amended to increase by \$103.00 budget code A.1325.442 Treasurer-Printing Tax Roll

SECTION 3. That the 2017-2018 Budget Ordinance is hereby amended to decrease by \$103.00 budget code A1315.441 Comptroller-Printing Reports and Forms

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Iafallo adopt ordinance as written

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Adjournment:

Moved by Lewis seconded by Iafallo meeting adjourned

Yeas: Noman, Iafallo, Leonard, Surdyke, Lewis

Carried 5-0

Keith E. Lewis-Council President

Jeffrey P. DePasquale, City Clerk